

**Notice of Allowability**

Application No.

10/629,100

Examiner

Gay Ann Spahn

Applicant(s)

DIMITRIJEVIC, MARK

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a communication filed on 03 April 2007.
2. ☒ The allowed claim(s) is/are 1-4, 6-8, 18-20 and 22-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael S. McCoy on 10 April 2007.

The application has been amended as follows:

#### **IN THE SPECIFICATION:**

Page 1, lines 1-2, please amend the title of the invention, as follows:

FOUNDATION PILE HAVING A SPIRAL RIDGE ~~AND METHOD OF~~  
~~UNDERPINNING USING SAME~~

Page 1, line 2 of paragraph no. [0003], after the word "walls," insert the word  
--concrete--.

#### **IN THE CLAIMS:**

Please amend claims 1 and 18, as follows:

1. (Currently amended) A foundation pile for providing support to a slab, said foundation pile comprising:  
  
a generally cylindrical solid body having,  
  
a top end wall, a bottom end wall adapted for providing load bearing capacity,

a sidewall extending between said top end wall and said bottom end wall, said sidewall having a ridge extending generally about said sidewall and integral to said sidewall, wherein said ridge has an offset surface extending generally outward from a surface of said sidewall, said offset surface providing additional load bearing capacity and being generally unopposed by another offset surface between said top end wall and said bottom end wall; and

a concrete slab, said foundation pile engaged with said slab.

18. (Currently amended) A foundation pile for providing support to ~~a slab~~ an above-ground structure, said foundation pile ~~apparatus~~ comprising:

a cylindrical concrete body having

a top end wall,

a bottom end wall adapted for providing load bearing capacity, and

a sidewall extending between said top end wall and said bottom end wall, said sidewall having two spiral ridges extending generally about said sidewall and integral to said sidewall, wherein each said spiral ridge has an offset surface extending generally outward from a surface of said sidewall, said offset surface providing additional load bearing capacity, and being generally unopposed by another offset surface between said top end wall and said bottom end wall; ~~and~~

~~said foundation pile engaged with said slab.~~

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Friday, 10:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (571)-272-6842. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

<sup>GAS</sup>  
Gay Ann Spahn, Patent Examiner  
April 10, 2007

  
Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600